

HON'BLE SRI JUSTICE R.SUBHASH REDDY

AND

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

F.C.A.M.P.No.248 of 2015 in/and F.C.A.No.312 of 2012

COMMON ORDER : *(Per Hon'ble Sri Justice R.Subhash Reddy)*

F.C.A.No.312 of 2012, under Section 19 of the Family Courts Act, is filed against the order and decree dated 06.09.2012 in F.C.O.P.No.1345 of 2010 passed by the Judge, Family Court, Khammam, whereby the petition filed by the appellant-wife against the respondent-husband, under Section 10 of Indian Divorce Act, for dissolution of their marriage by granting a decree of divorce, was dismissed.

During pendency of the appeal, the appellant-wife filed a petition being F.C.A.M.P.No.248 of 2015 under Order XXIII Rule 3 of C.P.C., seeking to record the compromise and grant a decree of divorce as per the terms and conditions of the Joint Memorandum of Compromise dated 03.06.2015, which is signed by both the parties along with their advocates. In the affidavit filed in support of the petition, it is stated that at the intervention of elders and wellwishers, the disputes between the parties are settled out of court and both parties decided to obtain decree of divorce by mutual consent as per the terms of compromise. The Joint Memorandum of Compromise is annexed to the petition.

When the matter is called, both the parties, who are present in-person and identified by their respective counsel, requested to

dispose of the appeal in terms of the settlement arrived at between them and grant a decree of divorce by dissolving their marriage, in terms of the said Joint Memorandum of compromise.

Having regard to the reasons stated in the affidavit filed in support of the petition and also in view of the settlement arrived at between the parties pursuant to the terms and conditions of Joint Memorandum of Compromise, F.C.A.M.P.No.248 of 2015 is allowed. Consequently, F.C.A.No.312 of 2012 is disposed of in terms of the Joint Memorandum of Compromise dated 03.06.2015 and the marriage between the appellant and the respondent stands dissolved. The terms of compromise shall form part of the decree.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

09.06.2015

v v